

REMARKS

Claims 8-27 and 36-44 are pending and stand rejected. In response, applicants respectfully submit the above claim amendments, which recite more clearly and distinctly that which applicants consider their invention. It is respectfully submitted that the claim amendments are adequately supported by the specification as originally filed. Entry and favorable reconsideration of the claims are respectfully requested.

It is respectfully submitted that the claim amendments have addressed the issues raised in paragraphs 2 and 3 of the Office Action. Applicants have also amended paragraph [0001] of the specification, and submitted, concurrently herewith, a replacement sheet of Figure 18, thereby satisfactorily addressing the issues raised in paragraphs 4 and 5 of the Office Action.

Claim rejections under 35 U.S.C. § 112, first paragraph

The Office Action rejected the claims for lack of enablement for the recitation of “compound.” The claims have been amended, replacing “compound” with “antibody,” thereby rendering this rejection moot.

The Office Action further rejected the claims for encompassing antibodies other than the three specifically exemplified monoclonal antibodies. Applicants respectfully traverse this rejection. It is noted that the instant claims are to *methods, not* to compositions comprising antibodies, and the claimed methods can be practiced with any antibodies that specifically bind to unprocessed VEGF-D. Applicants are entitled to claims that cover the use of any antibody, even

those that are to be developed by others in the future, as long as they are used to practice the claimed method. Reconsideration and withdrawal of this rejection is respectfully requested.

For similar reasons, it is respectfully submitted that the rejection of the claims for alleged lack of written description is also improper, and should be withdrawn.

Claim rejections under 35 U.S.C. § 102(b) and § 103(a)

The Office Action further rejected the pending claims for alleged lack of novelty or alternatively for obviousness. Applicants respectfully submit that these rejections have been rendered moot by the claim amendments. The instant inventors have shown that expression of *full-length* (i.e. unprocessed) VEGF-D in the tumors led to faster tumor growth than tumors not expressing VEGF-D or expressing only processed VEGF-D; and that tumors expressing full-length VEGF-D had more blood vessels and lymphatic vessels than tumors that did not express VEGF-D or expressing only processed VEGF-D. Most importantly, tumors expressing VEGF-D exhibited much more metastatic spread than those not expressing VEGF-D or expressing only processed VEGF-D. The claimed methods are based on these novel discoveries. As amended, the claims now recite that the detection is based on specific assaying of the unprocessed VEGF-D level. Because the prior art does not teach or even suggest the surprising effect of unprocessed VEGF-D as compared to the processed VEGF-D, applicants

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Reply to Office Action

respectfully submit that the claim rejections over the prior art under 35 U.S.C. § 102 or 103 have been rendered moot.

It is therefore respectfully submitted that all claims are now in condition for allowance, and an early indication to that effect is earnestly solicited.

While no fee is believed to be due, if necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #029065.48666C1).

Respectfully submitted,

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